



DAE  
KW

Application Serial No.: 10/026,215  
Attorney Docket No. 508-065.004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Anthony ELLIOTT et al.** : Confirmation No.: **8507**  
Application Serial No.: **10/026,215** : Group/Art Unit: **3679**  
Filing Date: **December 19, 2001** : Examiner: **Aaron M. DUNWOODY**  
Title: ***Nut and Seat Assembly for Clamp***

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER ACCOMPANYING PETITION FOR  
REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Sir:

Enclosed herewith is an executed Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) with respect to US application 10/026,215 filed on December 19, 2001.

This petition is executed on behalf of Bio Pure Technology Limited, the current owner of said application. Accompanying the Petition for Revival is an Amendment in Response to Non-Final Official Action, the Official Action having a mailing date of December 2, 2004.

I hereby certify that this correspondence and all documents referred to as being enclosed are being deposited with the United States Postal Service on this date, August 11, 2006, in an envelope with sufficient postage as, "First Class Mail," addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Lissette Ramos

Also accompanying the petition is a Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address and an accompanying assignee of record of the entire interest Statement Under 37 CFR 3.37(b).

The chain of title documents are identified in said statement with the last two documents attached to said Statement. The assignment from Rodney Stuart Cobb to Bio Pure Technology Limited and the Order by the British Patent Office are also being concurrently recorded pursuant to 37 CFR 3.11.

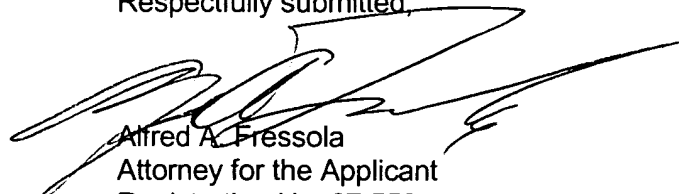
Further accompanying said petition is a Request and Fee to Delete and/or Add to Erroneously Named or Not Named Inventor(s) in Non-Provisional Declaration under 37 CFR 1.48(a). This request is specifically to add Rodney S. Cobb as a joint inventor of said US application. The request is accompanied by a Statement of Error Without Deceptive Intention on the Part of the Inventor Being Added pursuant to 37 CFR 1.48(a)(2) and an executed declaration by Rodney S. Cobb and Anthony Elliott, the latter being the originally named inventor.

In addition, an executed Assent of Assignee to Correction and/or Addition of Inventor(s) is submitted with a copy of the Statement Under 37 CFR 3.37(b).

Finally, enclosed is a check in the amount of \$960.00 which includes fees believed to be due for filing of the petition and related documents, including assignment recordation. Please charge our deposit account for any fee deficiency.

Review of said Petition for Revival is earnestly solicited.

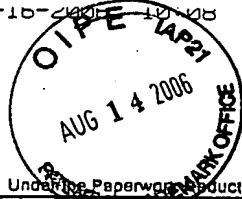
Respectfully submitted,



Alfred A. Fressola  
Attorney for the Applicant  
Registration No. 27,550

Dated: August 11, 2006

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, Connecticut 06468  
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USPTO Customer No. 004955



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PTO/SB/64 (10-05)

# **PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
508-065.004

First named inventor: Anthony ELLIOTT

Application No.: 10/026,215

Art Unit: 3679

Filed: December 19, 2001

Examiner: Aaron M. DUNWOODY

Title: Nut and Seat Assembly for Clamp

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

## **APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

### **1. Petition fee**

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

### **2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of an Amendment in response to the outstanding Official Action (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/64 (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Date

Typed or printed name

Registration Number, if applicable

Bio Pure Technology Limited

Address

Telephone Number

17 South Street, Havant, Hampshire PO9 1BU, United Kingdom

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

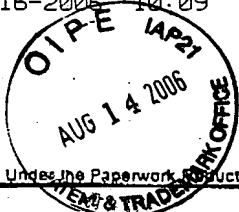
☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date

Signature

Lissette Ramos

Typed or printed name of person signing certificate



Approved for use through 12/31/2008. OMB 0851-0035  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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**REVOCATION OF POWER OF  
 ATTORNEY WITH  
 NEW POWER OF ATTORNEY  
 AND  
 CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/026.215
Filing Date	December 19, 2001
First Named Inventor	Anthony ELLIOTT
Art Unit	3679
Examiner Name	Aaron M. DUNWOODY
Attorney Docket Number	508-065.004

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 004955

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
 Customer Number:

004955

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Ware, Fressola, Van Der Sluys & Adolphson LLP			
Address	Bradford Green, Building 5 755 Main Street, P.O. Box 224			
City	Monroe	State	CT	Zip
Country	USA			
Telephone	(203) 261-1234	Email	aaf@wfv.net	

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	PETER MAWNER		
Date	20-FEB-2006	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of one forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/96 (12-05)

Approved for use through 07/31/2005. OMB 0351-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Bio Pure Technology LimitedApplication No./Patent No./Control No.: 10/026,215 Filed/Issue Date: December 19, 2001Entitled: Nut and Seal Assembly for ClampBio Pure Technology Limited

(Name of Assignee)

, a corporation

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Anthony ELLIOTT To: Jarzon Plastics Limited  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012770, Frame 0003, or for which a copy thereof is attached.

2. From: Anthony ELLIOTT To: Jarzon Plastics Limited  
The document was recorded in the United States Patent and Trademark Office at  
Reel 013007, Frame 0306, or for which a copy thereof is attached.

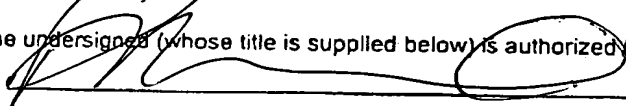
3. From: Jarzon Plastics Limited To: Bio Pure Technology Limited  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

20 Feb 2006

Date

Peter Mander

Printed or Typed Name

MD - Bio Pure Technology Ltd

Title

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**SUPPLEMENTAL SHEET  
ACCOMPANYING STATEMENT UNDER 37 CFR 3.73(b)**

Continuation of Section B.

4. From: Rodney Stuart COBB To: Bio Pure Technology Limited  
The document was recorded in the United States Patent and Trademark  
Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is  
attached.



BL O/296/05

3 November 2005

**PATENTS ACT 1977**

BETWEEN

Bio Pure Technology Limited

Claimant

and

(1) Jarzon Plastics Limited

Defendants

(2) Anthony Elliott

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**PROCEEDINGS**

Reference under sections 12(1) and 37(1) and application under sections 13(1) and 13(3) of the Patents Act 1977 in respect of GB 2352475 and GB 2362428 and equivalent foreign patent applications

HEARING OFFICER

P Hayward

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**ORDER**

UPON this application being heard on 13<sup>th</sup> and 14<sup>th</sup> September 2004

AND UPON hearing Counsel for the Claimant and Counsel for the Defendants

AND UPON hearing the evidence of the witnesses given by statutory declaration and under cross-examination by Counsel

AND UPON reading the documents exhibited to the statutory declarations

AND UPON noting the consent of the Claimant and the First Defendant to the making of this Declaration and Order

IT IS HEREBY DECLARED AS FOLLOWS :

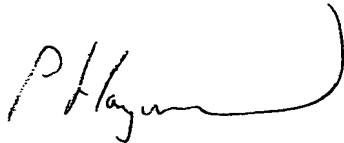
- (1) That the true proprietor of UK Patents 2 352 475 and 2 362 428 is Bio Pure Technology Limited;
- (2) That Rodney Stuart Cobb is the true inventor of UK Patents 2 352 475 and 2 362 428;



- (3) That Bio Pure Technology Limited, pursuant to the terms of a contract entered into between it and Jarzon Plastics Limited in March 1999, is the sole successor in title to any and all rights of Jarzon Plastics Limited in and to the whole of the property in each and every of the inventions disclosed in European Patent Application 00976172.7, United States Patent Application US 10/26,215, Australian Patent Application AU 14052/01 and Indian Patent Application IN/PCT/2002/00648
- (4) That the inventions of European Patent Application 00976172.7, US Patent Application United States 10/26,215, Australian Patent Application AU 14052/01 and Indian Patent Application IN/PCT/2002/00648 belong to Bio Pure Technology Limited, and that Bio Pure Technology is properly and truly entitled to the grant of any patents which result from the said applications, including without limitation Australian Patent 774546 accepted on 1 July 2004.

IT IS HEREBY ORDERED AS FOLLOWS :

- (1) That Jarzon Plastics Limited do forthwith take all steps with its power to assign UK Patents 2 352 475 and 2 362 428, US Patent Application US' 10/26,215, Australian Patent Application AU 14052/01 and Indian Patent Application IN/PCT/2002/00648 to the Applicant and to co-operate with the Applicant to ensure that the relevant Registers of those countries are amended or rectified to indicate that the Applicant is the owner of the relevant application and any Patent resulting therefrom;
- (2) That the Register of Patents be rectified by removing the name of Anthony Elliott as inventor of UK Patents 2 352 475 and 2 362 428 and replacing it with the name of Rodney Stuart Cobb;
- (3) That Jarzon Plastics Limited do, within 14 days of the date hereof, pay £10,000 to Bio Pure Technology Limited by way of costs.



**P HAYWARD**

Divisional Director acting for the Comptroller

U.S. Patent Application Serial No. 10/026,215  
Attorney Docket No. 508-065.004

ASSIGNMENT AND AGREEMENT

FOR VALUE RECEIVED, I, **Rodney Stuart COBB**, a citizen of the United Kingdom residing at 5 Ash Road, Shirley, Croydon CR0 8HW, United Kingdom, hereby sell, assign and transfer to **Bio Pure Technology Limited**, an organization duly organized and existing under the laws of the United Kingdom, and having a principal place of business at 17 South Street, Havant, Hampshire PO9 1BU, United Kingdom, as assignee, and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions relating to improvements in a ***Nut and Seat Assembly for Clamp***, which is described in an application for Letters Patent of the United States filed on **December 19, 2001**, now bearing U.S. Patent Application Serial No. **10/026,215**; and all the rights and privileges under any and all Letters Patent that may be granted therefor.

I request that any and all patents for said inventions in all countries be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower the said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by: (a) the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it; and (b) the Patent Cooperation Treaty, as amended, or by any treaty which may henceforth be substituted for it; and to invoke and claim such right of priority without further written or oral authorization from us.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by: (a) the International Convention for the protection of Industrial Property, as amended, or by any

U.S. Patent Application Serial No. 10/026,215  
Attorney Docket No. 508-065.004

convention which may henceforth be substituted for it; and (b) the Patent Cooperation Treaty, as amended, or by any treaty which may henceforth be substituted for it.

I covenant with said assignee, its successors and assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed.

Signed at ENGLAND this 21  
(city/state/country) (day)  
day of JUNE, 2006.  
(month)

R S Cobb  
Rodney Stuart COBB

Signed in our presence and acknowledged to be an assignment of the application (invention) herein above referred to.

Witness [Signature] Date 21 June 06

Witness [Signature] Date 21 June 06